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HOUSE BILL 62

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Bill B. O'Neill

AN ACT

RELATING TO HIGHER EDUCATION; EXTENDING THE TIME FOR APPLYING
FOR A LEGISLATIVE LOTTERY SCHOLARSHIP.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 21-1-4.3 NMSA 1978 (being Laws 1996,
Chapter 71, Section 3, as amended) is amended to read:

"21-1-4.3. LEGISLATIVE LOTTERY SCHOLARSHIPS
AUTHORIZED--CERTAIN EDUCATIONAL INSTITUTIONS.--

A. To the extent that funds are made available by
the legislature from the lottery tuition fund, the boards of
regents of New Mexico state university, New Mexico institute of
mining and technology, eastern New Mexico university, western
New Mexico university, the university of New Mexico, New Mexico
highlands university and northern New Mexico college shall
award legislative lottery scholarships for tuition for

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1 qualified resident students attending their respective
2 institutions and branches of those institutions.

3 B. Except as otherwise authorized in this section,
4 the legislative lottery scholarships authorized in this section
5 shall apply only to full-time resident students who,
6 [~~immediately upon~~] within sixteen months of completion of a
7 high school curriculum at a public or accredited private New
8 Mexico high school or [~~upon~~] of receiving a graduate equivalent
9 diploma, are accepted for entrance to and attend one of the
10 state educational institutions set forth in this section or one
11 of the branches of those institutions. Each legislative
12 lottery scholarship shall be awarded for up to four consecutive
13 years beginning the second semester of the recipient's first
14 year of enrollment if the recipient has maintained residency in
15 New Mexico and maintained a grade point average of 2.5 or
16 higher on a 4.0 scale during the first semester of full-time
17 enrollment.

18 C. The legislative lottery scholarships authorized
19 in this section shall also apply to full-time resident students
20 who, [~~immediately upon~~] within sixteen months of completion of
21 a high school curriculum at a public or accredited private New
22 Mexico high school or [~~upon~~] of receiving a graduate equivalent
23 diploma, attend a two-year public post-secondary educational
24 institution in New Mexico and who, upon the completion of that
25 curriculum or at the end of two years, whichever is sooner,

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1 transfer to one of the post-secondary state educational
2 institutions set forth in this section. Those students shall
3 be eligible for a legislative lottery scholarship for two
4 consecutive years if they maintain residency in New Mexico,
5 maintain a grade point average of 2.5 or higher on a 4.0 scale
6 and attend the institution full time during the regular
7 academic year.

8 D. The legislative lottery scholarships authorized
9 in this section shall also apply to full-time resident students
10 who:

11 (1) within one hundred twenty days of
12 completion of a high school curriculum at a public or
13 accredited private New Mexico high school, or of receiving a
14 graduate equivalent diploma, begin service in the United States
15 armed forces; and

16 (2) within one year of completion of honorable
17 service or medical discharge from the service, attend one of
18 the state educational institutions set forth in this section.

19 E. The higher education department shall prepare
20 guidelines setting forth explicit student continuing
21 eligibility criteria and guidelines for administration of the
22 legislative lottery scholarship program. Guidelines shall be
23 distributed to the board of regents of each institution to
24 enable a uniform availability of the resident student
25 legislative lottery scholarships.

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1 F. For purposes of the legislative lottery
2 scholarship program as it applies to students with
3 disabilities who may require special accommodations, the
4 higher education department, in consultation with the student
5 and the office at the institution that serves students with
6 disabilities, shall review both the definition of "full time"
7 and the maximum number of consecutive semesters of
8 eligibility and adjust either or both as deemed reasonable
9 and appropriate, based on the student's disability needs. In
10 no case, however, shall "full time" mean fewer than six
11 credit hours per semester, and in no case shall eligibility
12 extend beyond fourteen consecutive semesters."

13 **SECTION 2.** Section 21-13-10 NMSA 1978 (being Laws 1963,
14 Chapter 17, Section 9, as amended) is amended to read:

15 "21-13-10. BOARD DUTIES.--

16 A. It is the duty of the community college board
17 to determine financial and educational policies of the
18 community college. The community college board shall provide
19 for the management of the community college and execution of
20 these policies by selecting a competent president for the
21 community college, and, upon the president's recommendation,
22 the board shall employ other administrative personnel,
23 instructional staff or other personnel as may be needed for
24 the operation, maintenance and administration of the
25 community college.

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1 B. The community college board shall have the
2 power to fix tuition and fee rates for resident and
3 nonresident students of the community college district, to
4 accept gifts, to accept federal aid, to purchase, hold, sell
5 and rent property and equipment and to promote the general
6 welfare of the institution for the best interest of
7 educational service to the people of the community college
8 district.

9 C. To the extent that funds are made available by
10 the legislature from the lottery tuition fund, the community
11 college board shall award legislative lottery scholarships
12 for qualified resident students attending their respective
13 institutions.

14 D. The legislative lottery scholarships
15 authorized in this section shall apply only to full-time
16 resident students who, [~~immediately upon~~] within sixteen
17 months of completion of a high school curriculum at a public
18 or accredited private New Mexico high school or [~~upon~~] of
19 receiving a graduate equivalent diploma, are accepted for
20 entrance to and attend a community college. Each legislative
21 lottery scholarship shall be awarded for up to two
22 consecutive years beginning the second semester of the
23 recipient's first year of enrollment, provided that the
24 recipient has maintained residency in New Mexico and
25 maintained a grade point average of 2.5 or higher on a 4.0

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1 scale during the first semester of full-time enrollment.

2 E. The higher education department shall prepare
3 guidelines setting forth explicit student continuing
4 eligibility criteria and guidelines for administration of the
5 legislative lottery scholarship program. Guidelines shall be
6 distributed to community college boards to enable a uniform
7 availability of the resident student lottery tuition
8 scholarships.

9 F. For purposes of the legislative lottery
10 scholarship program as it applies to students with
11 disabilities who may require special accommodations, the
12 higher education department, in consultation with the student
13 and the office at the community college that serves students
14 with disabilities, shall review both the definition of "full
15 time" and the maximum number of consecutive semesters of
16 eligibility and adjust either or both as deemed reasonable
17 and appropriate, based on the student's disability needs. In
18 no case, however, shall "full time" mean fewer than six
19 credit hours per semester, and in no case shall eligibility
20 extend beyond fourteen consecutive semesters."

21 SECTION 3. Section 21-16-10.1 NMSA 1978 (being Laws
22 1996, Chapter 71, Section 6, as amended) is amended to read:

23 "21-16-10.1. LEGISLATIVE LOTTERY SCHOLARSHIPS
24 AUTHORIZED.--

25 A. To the extent that funds are made available by
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1 the legislature from the lottery tuition fund, the board of a
2 technical and vocational institute shall award legislative
3 lottery scholarships for qualified resident students
4 attending a technical and vocational institute.

5 B. The legislative lottery scholarships
6 authorized in this section shall apply only to full-time
7 resident students who, [~~immediately upon~~] within sixteen
8 months of completion of a high school curriculum at a public
9 or accredited private New Mexico high school or [~~upon~~] of
10 receiving a graduate equivalent diploma, are accepted for
11 entrance to and attend a technical and vocational institute.
12 Each legislative lottery scholarship shall be awarded for up
13 to two consecutive years beginning the second semester of the
14 recipient's first year of enrollment, provided that the
15 recipient has maintained residency in New Mexico and
16 maintained a grade point average of 2.5 or higher on a 4.0
17 scale during the first semester of full-time enrollment with
18 renewal of an additional two years upon transfer.

19 C. The higher education department shall prepare
20 guidelines setting forth explicit student continuing
21 eligibility criteria and guidelines for administration of the
22 legislative lottery scholarship program. Guidelines shall be
23 distributed to the boards of technical and vocational
24 institutes to enable a uniform availability of the resident
25 student legislative lottery scholarships.

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1 D. For purposes of the legislative lottery
2 scholarship program as it applies to students with
3 disabilities who may require special accommodations, the
4 higher education department, in consultation with the student
5 and the office at the technical and vocational institute that
6 serves students with disabilities, shall review both the
7 definition of "full time" and the maximum number of
8 consecutive semesters of eligibility and adjust either or
9 both as deemed reasonable and appropriate, based on the
10 student's disability needs. In no case, however, shall "full
11 time" mean fewer than six credit hours per semester, and in
12 no case shall eligibility extend beyond fourteen consecutive
13 semesters."